

UNITED STATES DISTRICT COURT
Northern District of California
San Francisco Division

ANDRE Z. LUCAS,

Petitioner,

v.

M. SPEARMAN, Warden,

Respondent.

No. C 14-4388 LB

ORDER OF TRANSFER

[Re: ECF No. 1]

Andre Z. Lucas, an inmate at the Correctional Training Facility in Soledad, filed this *pro se* action for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 to challenge his conviction from the El Dorado County Superior Court. His county of incarceration (i.e., Monterey County) is located within the venue of the Northern District of California and his county of conviction (i.e., El Dorado County) is located within the venue of the Eastern District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, a petition challenging a conviction or the sentence imposed is preferably heard in the district of conviction. *See* N. D. Cal. Habeas L.R. 2254-3(b). Because the conviction occurred in the Eastern District of California, pursuant to 28 U.S.C. § 1406(a) and Habeas L.R. 2254-3(b), and in the interest of justice, this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

Dated: October 6, 2014


LAUREL BEELER
United States Magistrate Judge